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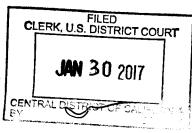
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UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

CASE NO. 17-MJ-00123- DUTY-3 Plaintiff.

VALENCIA I UIS TOMAS

UNITED STATES OF AMERICA,

v.

ORDER OF DETENTION

Defendant.

I.

- On motion of the Government in a case allegedly involving:
 - 1. () a crime of violence.
 - an offense with maximum sentence of life imprisonment or death. 2. ()
 - a narcotics or controlled substance offense with maximum sentence 3. OX of ten or more years.
 - any felony where the defendant has been convicted of two or more 4. () prior offenses described above.
 - any felony that is not otherwise a crime of violence that involves a 5. () minor victim, or possession or use of a firearm or destructive device or any other dangerous weapon, or a failure to register under 18 U.S.C § 2250.
- B. On motion by the Government / () on Court's own motion, in a case

1	allegedly involving:
2	() On the further allegation by the Government of:
3	1. () a serious risk that the defendant will flee.
4	2. () a serious risk that the defendant will:
5	a. () obstruct or attempt to obstruct justice.
6 7	b. () threaten, injure, or intimidate a prospective witness or juror o attempt to do so.
8	C. The Government is/ () is not entitled to a rebuttable presumption that no
9	condition or combination of conditions will reasonably assure the defendant'
10	appearance as required and the safety of any person or the community.
11	
12	II.
13	A. The Court finds that no condition or combination of conditions wil
14	reasonably assure:
15	1. (x) the appearance of the defendant as required.
16	() and/or
17	2. (x) the safety of any person or the community.
18	B. The Court finds that the defendant has not rebutted by sufficien
19	evidence to the contrary the presumption provided by statute.
20	
21	III.
22	The Court has considered:
23	A. the nature and circumstances of the offense(s) charged, including whether the
24	offense is a crime of violence, a Federal crime of terrorism, or involves a minor
25	victim or a controlled substance, firearm, explosive, or destructive device;
26	B. the weight of evidence against the defendant;
27	C. the history and characteristics of the defendant; and
8	D. the nature and seriousness of the danger to any person or to the community.

1	IV.
2	The Court also has considered all the evidence adduced at the hearing and the
3	arguments and/or statements of counsel, and the Pretrial Service
4	Report/recommendation.
5	
6	V.
7	The Court bases the foregoing finding(s) on the following:
8	A. () As to flight risk: <u>presumption</u>
9	<u>criminal history & failure to appear,</u>
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15 16	B. () As to danger: presumption as to danger
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18	to narcotics
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24	VI.
25	A. () The Court finds that a serious risk exists that the defendant will:
26	1. () obstruct or attempt to obstruct justice.
27	2. () attempt to / () threaten, injure or intimidate a witness or juror.
28	in the continuate a witness or juror.
Ш	ORDER OF DETENTION AFTER HEADING (18 U.S.C. \$2142(1))

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